

## ORDER TO ADOPT THE PROPOSED ACTION

### TITLE 13. MOTOR VEHICLES ARTICLE 4. OCCUPATIONAL LICENSES

#### **§253.02. License Renewal Terms.**

(a) The department shall issue a renewal license for a two-year term, pursuant to Vehicle Code Section 1665, to an All Terrain Vehicle Safety Organization, Dealer, Dismantler, Distributor, Driving School Owner, Lessor-Retailer, Manufacturer, Registration Service, Remanufacturer, Traffic Violator School Owner, or Transporter. The first two-year term occupational license shall be issued based on the following criteria:

(1) Licenses issued prior to January 1, 2006, with a date-in-business in an even year, will be issued a two-year renewal term when the license expires in 2006.

(2) Licenses issued prior to January 1, 2006, with a date-in-business in an odd year, will be issued a two-year renewal term when the license expires in 2007.

(3) Licenses issued on or after January 1, 2006, will be issued a two-year renewal term upon the first expiration date of the license.

(b) Any dealer required to provide evidence of successful completion of an educational program pursuant to Vehicle Code Section 11704.5 (c)(1), in conjunction with the first two-year term license renewal, shall be exempt from subdivision (a)(1) thru (3).

(c) The fee for a license issued for a two-year term shall be twice the licensing fee established in statute for the specific type of license.

(d) Any authorizing indicia issued in conjunction with the renewal of a license shall be issued for the same term as the license. The fee for the indicia shall be twice the fee established in statute for the specific indicia.

NOTE: Authority cited: Sections 1651, 1665 and 11202(a)(2), Vehicle Code. Reference: Sections 11105, 11105.2, 11105.6, 11204, 11208, 11409, 11410, 11500, 11508, 11601, 11620, 11700, 11704.5 Vehicle Code.

### ARTICLE 4.7 SCHOOL FOR TRAFFIC VIOLATORS

#### **§345.16. Renewal of Owner License.**

(a) An original traffic violator school owner license shall expire one year from the date of issuance. ~~When a traffic violator school owner license is renewed, it shall expire 1 year from the current expiration date unless:~~

(1) The department notifies the school at least 60 days prior to the expiration date that the renewal license shall be issued for a different term than one year. A renewal license shall be issued to expire not less than 12 months from the expiration date of the current license and not more than 24 months from the expiration date of the current license, and

(2) The department forwards a renewal notice to the school, specifying the extended term date and the renewal fee. The renewal application fee shall be prorated based on the number of months for which the renewal license is valid as follows:

(A) If the license is termed to expire in 13 to 15 months, the fee is \$62.50.

(B) If the license is termed to expire in 16 to 18 months, the fee is \$75.00.

~~(C) If the license is termed to expire in 19 to 21 months, the fee is \$87.50.~~

~~(D) If the license is termed to expire in 22 to 24 months, the fee is \$100.00.~~

(b) Branch business office and classroom licenses for each school expire at the same time as the owner license, regardless of the application dates for the branch and classrooms.

These licenses shall be renewed in conjunction with renewal of the owner's license.

(c) An owner shall apply to the department at its headquarters office before the expiration date of the current license to renew the owner license by submitting the following:

(1) An Application for Renewal of Traffic Violator School (TVS) Owner License, form OL 701 (Rev 2/94) or, if notified by the department, pursuant to Subdivision 345.16(a)(2), form OL 701A (Rev 3/94). Either application shall contain the following information:

(A) A designation as to whether the type of ownership structure is sole proprietor, partnership, corporation, public school or other public agency.

(B) The names, social security numbers, titles, and residence address of all owners, partners, principle corporate officers, board members, and stockholders active in the management, direction or control of the corporation and public school or public agency administrators.

(C) Whether any individual listed as an owner pursuant to Section 345.02 has been convicted of any crime, misdemeanor or felony, since the expiring license was issued by the department.

(D) A statement, signed under penalty of perjury by the owner or administrator if a public school or agency, certifying that the information on the application is true and correct.

(2) An Application for Renewal of Traffic Violator School (TVS) Branch/Classroom Locations, form OL 737 (Rev 2/94) or, if notified by the department, pursuant to Section 345.16(a)(2), form OL 737A (Rev 2/94). Either application shall contain the following:

(A) The traffic violator school's name and license number.

(B) The traffic violator school's business office address and telephone number.

(C) Whether classroom instruction is given at the business address.

(D) The street address and judicial district for each branch business office and for each classroom location to be renewed.

(E) A statement, signed under penalty of perjury, by the owner or the administrator if a public school or agency, certifying that the classroom/branch locations shown are true and correct.

(3) Renewal fees for the school, each branch business office and each classroom location not located in the primary business office or a branch business office. The application fee is the same for each location, as follows:

(A) If the license is termed to expire in 12 months, the fee is \$50 for each location.

(B) If the license is termed to expire in 13 to 24 months, the fee for each location is as outlined in Section 345.16(a)(2)(A) through (D).

(d) Renewal applications submitted on or after the expiration date of the owner's license shall not be accepted or processed. An owner whose license has expired shall comply with all original licensing requirements prior to being relicensed by the department.

NOTE: Authority cited: Sections 1651, 1665, 11202(a)(2) and 11219, Vehicle Code.

Reference: 42 U.S.C. 405; Section 11350.6, Welfare and Institutions Code; and Sections 626.8, 11204, ~~11208~~ and 11209, Vehicle Code.